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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,197	03/31/2004	Kohei Teramoto	403029	5179
23548	7590	12/15/2005	EXAMINER	
LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960			MAHONEY, CHRISTOPHER E	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/813,197

Applicant(s)

TERAMOTO ET AL.

Examiner

Christopher E. Mahoney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>Mar 31, 2004</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear which of the two substrates is being referred to in claims 6 and 7.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7, 13-14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Pat. No. 6,726,859) in view of Honda (U.S. Pat. No. 6,912,086). Suzuki teaches a rear projection screen for allowing a projected light beam incident thereon to pass therethrough to a view side comprising a horizontal lenticular lens plate 118, 38 a Fresnel lens sheet 1, 6 where the Fresnel lens is formed on the incidence side of a reflection prism 4A and a refraction portion prism 3A. Suzuki does not explicitly teach that the plates are secured via a securing fixture. Honda teaches that it was known to use a securing structure to secure the

Fresnel and lenticular sheets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Honda for the purpose of providing an integrating viewing device.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Pat. No. 6,726,859) in view of Honda (U.S. Pat. No. 6,912,086). Suzuki in view of Honda teaches the salient features of the claimed invention except for the specific materials. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize glass, resin for the substrate, metal or resin for the fixture, and similar coefficients of expansion for the purpose of using readily available suitable materials. The applicant should note that it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Claims 1-5, 7, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikama (U.S. Pub. No. 20040246578) in view of Honda (U.S. Pat. No. 6,912,086). Suzuki teaches a rear projection screen for allowing a projected light beam incident thereon to pass therethrough to a viewer side comprising a horizontal lenticular lens plate 21 a Fresnel lens sheet 10C where the Fresnel lens is formed on the incidence side of a reflection prism 13/14 and a refraction portion prism 11/12. Shikama does not explicitly teach that the plates are secured via a securing fixture. Honda teaches that it was known to use a securing structure to secure the Fresnel and lenticular sheets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Honda for the purpose of providing an integrating viewing device.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikama (U.S. Pub. No. 20040246578) in view of Honda (U.S. Pat. No. 6,912,086). Shikama in view of Honda teaches the salient features of the claimed invention except for the specific materials. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize glass, resin for the substrate, metal or resin for the fixture, and similar coefficients of expansion for the purpose of using readily available suitable materials. The applicant should note that it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Claims 11-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Pat. No. 6,726,859) in view of Honda (U.S. Pat. No. 6,912,086) and further in view of Kumagai (U.S. Pub. No. 20050117212). Suzuki in view of Honda teaches the salient features of the claimed invention except for the diffusion in the lenticular lens sheet or in the contact layer. Kumagai teaches in the figures that it was known to provide the diffusion in the lenticular lens sheet or in the contact layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Kumagai for the purpose of higher contrast.

Claims 11-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikama (U.S. Pub. No. 20040246578) in view of Honda (U.S. Pat. No. 6,912,086) and further in view of Kumagai (U.S. Pub. No. 20050117212). Shikama in view of Honda teaches the salient features of the claimed invention except for the diffusion in the lenticular lens sheet or in the contact layer. Kumagai teaches in the figures that it was known to provide the diffusion in

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the lenticular lens sheet or in the contact layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Kumagai for the purpose of higher contrast.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Pat. No. 6,726,859) in view of Honda (U.S. Pat. No. 6,912,086) and further in view of Kim (U.S. Pub. No. 20040075899). Suzuki in view of Honda teaches the salient features of the claimed invention except for the anti reflex layer on the Fresnel lens. Kim teaches that it was known to provide the Fresnel lens with an anti reflex layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Kim for the purpose of reducing unwanted reflections.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shikama (U.S. Pub. No. 20040246578) in view of Honda (U.S. Pat. No. 6,912,086) and further in view of Kim (U.S. Pub. No. 20040075899). Shikama in view of Honda teaches the salient features of the claimed invention except for the anti reflex layer on the Fresnel lens. Kim teaches that it was known to provide the Fresnel lens with an anti reflex layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Kim for the purpose of reducing unwanted reflections.

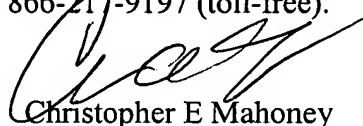
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Mahoney whose telephone number is (571) 272-2122. The examiner can normally be reached on 8:30AM-5PM, Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher E Mahoney  
Primary Examiner  
Art Unit 2851